

California Department of Education

Executive Office

SBE-005 (REV. 1/2018)

General Waiver

# California State Board of EducationMay 2023 AgendaItem #W-09

## Subject

Request by **ten local educational agencies** to waive California *Education Code* sections 15102, 15268, 15106, and/or 15270(a) to allow the districts to exceed their bonded indebtedness limits. Total bonded indebtedness may not exceed 1.25 percent of the taxable assessed valuation of property for elementary or high school districts and 2.50 percent of the taxable assessed valuation of property for unified school districts. Depending on the type of bond, a tax rate levy limit of $30 per $100,000 of assessed value for elementary or high school districts and $60 per $100,000 of assessed value for unified school districts may also apply.

## Waiver Numbers

* Alum Rock Union Elementary School District 11-2-2023
* Compton Unified School District 9-2-2023
* Mount Pleasant Elementary School District 4-2-2023
* Muroc Joint Unified School District 12-2-2023
* Oxnard School District 9-12-2022
* Pittsburg Unified School District 10-2-2023
* Planada Elementary School District 7-12-2022
* Rio Elementary School District 6-12-2022
* Selma Unified School District 14-2-2023
* Stockton Unified School District 15-2-2023

## Type of Action

Action, Consent

## Summary of the Issues

The Alum Rock Union Elementary School District (Alum Rock ESD) is requesting to waive portions of *Education Code* (*EC*) sections 15102 and 15268, which will allow the district to exceed its statutory bonding capacity limit at a rate of up to, but not in excess of, 2.21 percent.

The Compton Unified School District (Compton USD) is requesting to waive portions of *EC* sections 15106 and 15270(a), which will allow the district to exceed its statutory bonding capacity limit at a rate of up to, but not in excess of, 3.05 percent.

The Mount Pleasant Elementary School District (Mount Pleasant ESD) is requesting to waive portions of *EC* sections 15102 and 15268, which will allow the district to exceed its statutory bonding capacity limit at a rate of up to, but not in excess of, 1.87 percent.

The Muroc Joint Unified School District (Muroc Joint USD) is requesting to waive portions of *EC* sections 15106 and 15270(a), which will allow the district to exceed its statutory bonding capacity limit at a rate of up to, but not in excess of, 4.16 percent.

The Oxnard School District (Oxnard SD) is requesting to waive portions of *EC* sections 15102 and 15268, which will allow the district to exceed its statutory bonding capacity limit at a rate of up to, but not in excess of, 2.14 percent.

The Pittsburg Unified School District (Pittsburg USD) is requesting to waive portions of *EC* sections 15106 and 15270(a), which will allow the district to exceed its statutory bonding capacity limit at a rate of up to, but not in excess of, 5.15 percent.

The Planada Elementary School District (Planada ESD) is requesting to waive portions of *EC* sections 15102 and 15268, which will allow the district to exceed its statutory bonding capacity limit at a rate of up to, but not in excess of, 1.79 percent.

The Rio Elementary School District (Rio ESD) is requesting to waive portions of *EC* sections 15102 and 15268, which will allow the district to exceed its statutory bonding capacity limit at a rate of up to, but not in excess of, 2.31 percent.

The Selma Unified School District (Selma USD) is requesting to waive portions of *EC* sections 15106 and 15270(a), which will allow the district to exceed its statutory bonding capacity limit at a rate of up to, but not in excess of, 3.69 percent.

The Stockton Unified School District (Stockton USD) is requesting to waive portions of *EC* sections 15106 and 15270(a), which will allow the district to exceed its statutory bonding capacity limit at a rate of up to, but not in excess of, 4.81 percent.

## Authority for Waiver

California *EC* Section 33050

## Recommendation

* Approval: No
* Approval with conditions: Yes
* Denial: No

The California Department of Education (CDE) recommends that the bonded indebtedness limit be waived for each of the districts with the following conditions:
(1) the periods of request do not exceed the recommended period on Attachment 1; (2) the total bonded indebtedness does not exceed the recommended new maximum shown on Attachment 1; (3) the districts do not exceed the statutory tax rate; (4) the waivers are limited to the sale of bonds approved by the voters on the measures noted on Attachment 1; and (5) the districts comply with the statutory requirements of Assembly Bill 182 related to school bonds, which became effective on January 1, 2014.

## Summary of Key Issues

The California *EC* provides limits related to a district’s total bonded indebtedness. *EC* sections 15102 and 15268 limit an elementary or high school district’s total general obligation (G.O.) bond indebtedness to 1.25 percent and *EC* sections 15106 and 15270(a) limit a unified school district’s total G.O. bond indebtedness to 2.50 percent.

To raise funds to build or renovate school facilities, with voter authorization, school districts may issue G.O. bonds. Under Proposition 46, school districts are allowed to increase the property tax rate above one percent for the period necessary to pay off new G.O. bonds if the following conditions are met:

* Two-thirds of those voting in a local election have approved the issuance of the bonds.
* The money raised through the sale of the bonds is exclusively used to purchase or improve land and buildings.

In November 2000, districts were given another option for authorizing and issuing bonds when California voters passed Proposition 39, which allows school bonds to be approved with a 55 percent majority vote if the district abides by several administrative requirements, such as establishing an independent Citizens’ Oversight Committee to oversee the use of the funds. Once G.O. bonds are authorized, school districts issue the bonds in increments as needed to fund their facility projects. When the voters authorize a local G.O. bond, they are simultaneously authorizing a property tax increase to pay the principal and interest on the bond. For Proposition 39 bonds, *EC* Section 15268 limits the tax rate levy authorized in each election to $30 per $100,000 of taxable property for elementary or high school districts and *EC* Section 15270(a) limits the tax rate levy authorized in each election to $60 per $100,000 of taxable property for unified school districts.

Without a waiver, school districts that are close to their bonding capacity must decide either to issue fewer bonds, delay the issuance of bonds until their assessed valuation increases, or obtain other more expensive non-bond financing to complete their projects, the costs of which could be paid from district general funds. Therefore, the CDE has historically recommended that the State Board of Education (SBE) approve related waiver requests with the condition that the statutory tax levies are not exceeded at the time the bonds are issued.

AB 182 (Chapter 477, Statutes of 2013) has established parameters for the issuance of local educational agency bonds that allow for the compounding of interest, including capital appreciation bonds (CABs). AB 182 requires a district governing board to do the following:

* Before the bond sale, adopt a resolution at a public meeting that includes specific criteria, including being publicly noticed on at least two consecutive meeting agendas.
* Be presented with an agenda item at a public board meeting that provides a financial analysis of the overall costs of the bonds, a comparison to current interest bonds, and reasons why the compounding interest bonds are being recommended.
* After the bond sale, present actual cost information at the next scheduled public meeting and submit the cost information of the sale to the California Debt and Investment Advisory Commission.

### Alum Rock Union ESD

Alum Rock ESD wishes to proceed with its proposed issuance of $71.5 million in general obligation bonds from Measure S, which was approved by more than 71 percent of the district’s voters in November 2022. The issuance will be used to improve science, technology, engineering, art, and math classrooms; increase student access to computers and modern classroom technology; build affordable teacher/staff housing; and improve campus security. In January 2017, SBE approved Item W-06, which increased the district’s debt limit to 2.50 percent. However, the January 2017 waiver was issued in response the district’s request based on the Measure I general obligation bonds passed by voters in 2016 and does not apply to bonds approved under Measure S, approved by voters in November 2022. Under the statutory 1.25 percent debt limit, only about $19 million of Measure S bonds can currently be accessed. In order to continue funding district projects authorized under both Measure I and Measure S, the district wishes to request a new debt limit applicable to Measure S. The issuance of $71.5 million in Measure S bonds, combined with the previous issuances, will increase the district’s outstanding bonded indebtedness limit to a rate up to, but not to exceed, 2.21 percent, as confirmed by the district.

### Compton USD

Compton USD has two current authorizations to issue general obligation bonds under separate authorizations, each approved by over 55 percent of the voters in the District. Measure S was authorized by voters on November 3, 2015, in the amount of $350 million, and Measure AAA on November 8, 2022, which authorized an additional $350 million. The bonds will be used to fix deteriorating roofs, plumbing, heating, and electrical systems; enhance school safety measures; and to construct or renovate classrooms and school sites, including media and performing arts centers, technology centers, and athletic complexes. The issuance of the additional $350 million will increase the district’s outstanding bonded indebtedness limit to a rate up to, but not to exceed, 3.05 percent, as confirmed by the district.

Mount Pleasant ESD

Mount Pleasant ESD wishes to proceed with its proposed cumulative issuance of $23.7 million in general obligation bonds, which represents the remaining portion authorized by two bond measures approved by the district’s voters in November of 2018 and November of 2020. Registered voters in the District passed general obligation bond measures in 1998, 2012, 2018 and 2020 to fund capital improvements. Measure I of 1998 authorized $12 million in bonds, Measure L of 2012 authorized $25 million in bonds, Measure JJ of 2018 authorized $27.5 million in bonds, and Measure Q of 2020 authorized $12 million in bonds.

Of these Measures, only Measure Q and Measure JJ have unissued bonds and room under the tax rate limit. Measure Q has $6.2 million in remaining authorized bond capacity while Measure JJ has $17.5 million in remaining authorized bond capacity. However, under the 1.25 percent statutory debt limit, only about $6 million of these bonds can currently be accessed. The bonds will be used to acquire equipment/instructional technology to improve distance learning; renovate heating and cooling systems; renovate aging restroom facilities; upgrade school emergency preparedness and outdated electrical wiring; improve accessibility; and to acquire, renovate, or construct modern classrooms, equipment, and facilities. The issuance of the additional $23.7 million will increase the district’s outstanding bonded indebtedness limit to a rate up to, but not to exceed, 1.87 percent, as confirmed by the district.

Muroc Joint USD

Muroc Joint USD wishes to proceed with its proposed issuance of $21 million in general obligation bonds from Measure B, which was approved by more than 60 percent of the district’s voters in June 2022. The bonds will be used to improve and repair facilities at Boron Junior-Senior High School; enhance student safety and security systems; make health and safety improvements; improve student access to technology; and to acquire, renovate, or construct modern classrooms, equipment, and facilities. The issuance of the additional $21 million will increase the district’s outstanding bonded indebtedness limit to a rate up to, but not to exceed, 4.16 percent, as confirmed by the district.

Oxnard SD

Oxnard SD wishes to proceed with its proposed issuance of $215 million in general obligation bonds from Measure I, which was approved by more than 57 percent of the district’s voters in November 2022. The District wishes to issue $78 million from the Measure I authorization in 2023 and an additional amount of approximately $63.5 million in 2027. With the District’s current outstanding bonded indebtedness of approximately $263.7 million and the addition of the proposed $78 million, total indebtedness is projected at approximately $341.7 million and would represent 2.14 percent, which exceeds the statuory limit of 1.25 percent.The bonds will be used to improve student safety and security systems; increase student and teacher access to technology; and to reconstruct older middle schools, modernize and construct elementary classrooms and support facilities. The issuance of the additional $78 million will increase the district’s outstanding bonded indebtedness limit to a rate up to, but not to exceed, 2.14 percent, as confirmed by the district.

Pittsburg USD

Pittsburg USD wishes to proceed with its proposed issuance of $72.495 million of Measure P general obligation bonds in June 2023. This represents the remaining portion authorized by the Measure P bond measure approved by the district’s voters in November of 2018. The voters of the district passed the measure with more than 64 percent support, authorizing $100 million in new bonds. The bonds will be used for the provision of safe, modern neighborhood schools; updated computer technology; and upgraded or newly constructed and equipped classrooms, science labs, district office facilities and workforce housing. The district previously had a waiver, Item W-14 approved in July 2012, authorizing the issuance of bonds up to a bonded indebtedness limit of 5 percent. This waiver expired on December 31, 2022. Current, unwaived bonding capacity would not allow the district to issue the necessary new bonds. The issuance of the additional $72.495 million will increase the district’s outstanding bonded indebtedness limit to a rate up to, but not to exceed, 5.15 percent, as confirmed by the district.

### Planada USD

Planada USD wishes to proceed with its proposed issuance of $3.1 million in general obligation bonds from Measure A, which was approved by more than 67 percent of the district’s voters in November 2022. The issuance will be used to construct and modernize classrooms, increase teacher and student access to modern technology; provide support facilities for students and the community; and improve campus security. In order to proceed with these proposals, the district wishes to request a waiver of their bonded indebtedness limit. The district previously had a waiver, Item W-14 approved in November 2014, authorizing the issuance of bonds up to a bonded indebtedness limit of 2.5 percent. This waiver expires on December 31, 2023. However, the waiver is specific to funds authorized by Measure O of 2014, which have been expended. The issuance of $3.1 million in Measure A bonds will increase the district’s outstanding bonded indebtedness limit to a rate up to, but not to exceed, 1.79 percent, as confirmed by the district.

Recently, Planada USD has been impacted by flooding. This caused widespread damage to district sites and property, necessitating evacuations. CDE is working to assist the district in a variety of remediation projects. Planada USD submitted this bond waiver request prior to the flooding, and the bond funding from Measure A is not intended to be used for flood recovery. However, approval of this waiver will provide the district access to the full Measure A funds necessary for a variety of other critical projects at this time.

Rio ESD

Rio ESD wishes to proceed with its proposed cumulative issuance of $79.9 million in general obligation bonds, which represents a combination of two bond measures approved by the district’s voters in November of 2018 and November of 2022. Measure L of 2018 authorized $59.2 million in bonds and Measure H of 2022 authorized $72 million in bonds. The district anticipates issuing all of the approximately $2.9 million of remaining Measure L bonds in March 2023 and $72.0 million of Measure H bonds (potentially across multiple series). Proceeds will be used to modernize classrooms, restrooms and facilities; make health, safety, and security improvements; provide heating, ventilation, and air conditioning (HVAC); upgrade technology; and construct new classrooms and libraries. The district previously had a waiver, Item W-05 approved in January 2022, authorizing the issuance of bonds up to a bonded indebtedness limit of 1.55 percent. However, the waiver is specific to funds authorized by Measure L of 2018. The issuance of the additional $79.9 million will increase the district’s outstanding bonded indebtedness limit to a rate up to, but not to exceed, 2.31 percent, as confirmed by the district.

### Selma USD

Selma USD wishes to proceed with its proposed issuance of $36 million in general obligation bonds over the next 3 years. The bonds will be issued pursuant to the district’s Measure L, which was approved by more than 56 percent of the district’s voters in November 2022. The issuance will be used to upgrade school safety, security, fire systems, science, engineering, math, vocational classrooms; provide safe drinking water, fix deteriorating gas lines, electrical, roofs, plumbing; remove asbestos/mold; acquire, construct, repair sites, facilities, equipment. Current bonding capacity does not allow the District to issue the necessary $36 million in general obligation bonds; therefore the district is requesting a waiver of their bonded indebtedness limit. The issuance of $36 million in Measure L bonds will increase the district’s outstanding bonded indebtedness limit to a rate up to, but not to exceed, 3.69 percent, as confirmed by the district.

Stockton USD

Stockton USD wishes to proceed with its proposed cumulative issuance of $339.02 million in general obligation bonds, which represents the remaining portion authorized by three bond measures approved by the district’s voters in November of 2014, June of 2018, and November of 2022. Registered voters in the district passed general obligation bond measures to fund capital improvements with 55 percent or higher approval in each case. Measure E of 2014 authorized $114 million in bonds, Measure C of 2018 authorized $156.38 million in bonds, and Measure C of 2022 authorized $215 million in bonds.

Of these Measures, E has $95.64 million in remaining authorized bond capacity while Measure C (2018) has $28.38 million in remaining authorized bond capacity, and Measure C (2022) has not yet begun issuing bonds. However, under the 2.5 percent statutory debt limit, these bond funds cannot be issued. The bonds will be used to allow the District to expand career and technical education training facilities, including engineering, health care, and information technology; repair roofs and plumbing; improve fire alarms; and improve student safety and classroom security.

The issuance of the additional $339.02 million will increase the district’s outstanding bonded indebtedness limit to a rate up to, but not to exceed, 4.81 percent, as confirmed by the district.

### Demographic Information

The Alum Rock Union ESD has a student population of 10,744 and is located in the greater San Jose area of Santa Clara County.

The Compton USD has a student population of 19,000 and serves the city of Compton, as well as portions of Paramount and Carson, in Los Angeles County.

The Mount Pleasant ESD has a student population of 2,229 and is located in the city of San Jose in Santa Clara County.

The Muroc Joint USD has a student population of 1,706 and serves communities in Kern and San Bernardino counties.

The Oxnard SD has a student population of 14,381 and serves the city of Oxnard in Ventura County.

The Pittsburg USD has a student population of 11,300 and serves the cities of Pittsburg and Bay Point in Contra Costa County.

The Planada ESD has a student population of 842 and serves rural communities in Merced County.

The Rio ESD has a student population of 5,160 and serves the city of Oxnard in Ventura County.

The Selma USD has a student population of 5,902 and serves the city of Selma in Fresno County.

The Stockton USD has a student population of 39,803 and serves the city of Stockton in San Joaquin County.

**Because these are general waivers****, if the SBE decides to deny the waivers, it must cite one of the seven reasons in *EC* Section 33051(a), available on the California Legislation Information Web page at** <https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=33051.>

## Summary of Previous State Board of Education Discussion and Action

The SBE has approved all bond limit waiver requests limited to the sale of already authorized bonds and at the tax rate levy stated on the bond measure.

The waiver requests considered in this item represent a range of term lengths and bonding capacity limits. These requests range from a maximum limit of 1.79 percent of the taxable assessed valuation of property to 5.15 percent. The lengths of the waivers range from 4 years and 3 months to 18 years and 3 months.

Figure 1 illustrates the range of percent increases in previous waivers approved by the State Board of Education (SBE) between March 2012 and July 2022. The waivers in this item all fall within this range.

### Figure 1



Figure 2 illustrates the number of districts the SBE granted waivers to between 2012 through 2022, organized by the effective period of the waivers in five-year increments. For example, the first column shows that 37 districts were granted waivers for a period of one to five years. The fourth column shows that 7 districts were granted waivers for a period of sixteen to twenty years.

### Figure 2



If approved, all of the requests below fall within the range of previously approved bonding capacity waivers, in both capacity and term.

## Fiscal Analysis

Approval of the waivers would allow the districts to accelerate their issuance of voter-approved bonds.

## Attachments

* **Attachment 1:** Summary Table (10 pages)
* **Attachment 2:** Alum Rock ESD General Waiver Request 11-2-2023 (3 pages). (Original waiver request is signed and on file in the Waiver Office.
* **Attachment 3:** Compton USD General Waiver Request 9-2-2023 (3 pages). (Original waiver request is signed and on file in the Waiver Office.
* **Attachment 4:** Mount Pleasant ESD General Waiver Request 4-2-2023 (2 pages). (Original waiver request is signed and on file in the Waiver Office.
* **Attachment 5:** Muroc Joint USD General Waiver Request 12-2-2023 (2 pages). (Original waiver request is signed and on file in the Waiver Office.
* **Attachment 6:** Oxnard SD General Waiver Request 9-12-2022 (3 pages). (Original waiver request is signed and on file in the Waiver Office.
* **Attachment 7:** Pittsburg USD General Waiver Request 10-2-2023 (2 pages). (Original waiver request is signed and on file in the Waiver Office.
* **Attachment 8:** Planada ESD General Waiver Request 7-12-2022 (3 pages). (Original waiver request is signed and on file in the Waiver Office.
* **Attachment 9:** Rio ESD General Waiver Request 6-12-2022 (3 pages). (Original waiver request is signed and on file in the Waiver Office
* **Attachment 10:** Selma USD General Waiver Request 14-2-2023 (3 pages). (Original waiver request is signed and on file in the Waiver Office.
* **Attachment 11:** Stockton USD General Waiver Request 15-2-2023 (3 pages). (Original waiver request is signed and on file in the Waiver Office.

# Attachment 1: Summary Table

 California *Education Code* (*EC*) Section 15102 et seq.

| **Waiver Number** | **District** | **Period of Request** | **District’s Request** | **CDE Recommended** | **Bargaining Unit Representatives** | **Local Board, Public Hearing, and Advisory Committee Approval** |
| --- | --- | --- | --- | --- | --- | --- |
| 11-2-2023 | Alum Rock Elementary School District | **Requested:**May 19, 2023 to August 1, 2031**Recommended:** May 19, 2023 to August 1, 2031 | **Requested:**Debt Limit: 2.21%**Recommended:**Debt Limit: 2.21% | Debt Limit 2.21%Limited to sale of bonds applicable to Measure S, approved by voters in the March 2022 electionTax Rate $30 per $100,000 (authorization approved under Proposition 39) | Alum Rock Educator's AssociationJocelyn Mertz President2/17/2023**Support**California School Employees Association (CSEA) Alum Rock Chapter 305Sharon Fontaine President2/16/2023**Support**Teamsters Local 150Thanh PhuRepresentative2/17/2023**Support** | Local Board Approval Date: 2/9/2023Public Hearing Date: 2/9/2023Public Hearing Advertised: District website, emails, and posting on school bulletin boardsCitizens’ Bond Oversight Committee2/17/2023**No Objections** |
| 9-2-2023 | Compton Unified School District | **Requested:**May 19, 2023 to May 19, 2029**Recommended:** May 19, 2023 to May 19, 2029 | **Requested:**Debt Limit: 3.05%**Recommended:**Debt Limit: 3.05% | Debt Limit: 3.05%Limited to sale of bonds applicable to Measure S and Measure AAA, approved by voters in November 2015 and November 2022 respectivelyTax Rate $60 per $100,000 (authorization approved under Proposition 39) | CSEAApril VidrioPresident1/16/2023**Neutral**Associated Federation of Teachers Ahrien JohnsonPresident1/16/2023**Neutral**California Educators AssociationKristen LuevanosPresident1/16/2023**Neutral**SEIUMargaret OrtizPresident1/16/2023**Neutral**Teamsters 911Michael LeonPresident1/16/2023**Support** | Local Board Approval Date: 2/14/2023Public Hearing Date: 2/14/2023Public Hearing Advertised: local paper (Long Beach Press telegram), district websiteFacilities committee1/23/2023**No Objections** |
| 4-2-2023 | Mount Pleasant Elementary School District | **Requested:**May 19, 2023 to August 1, 2030**Recommended:** May 19, 2023 to August 1, 2030 | **Requested:**Debt Limit: 1.87%**Recommended:**Debt Limit: 1.87% | Debt Limit: 1.87%Limited to sale of bonds applicable to Measure JJ, approved by voters in the November 2018 election, and Measure Q, approved by the voters in the November 2020 election.Tax Rate $30 per $100,000 (authorization approved under Proposition 39) | CSEA Mt. Pleasant Chapter 463Cheryl Garcia President1/19/2023**Support**Mount Pleasant Education AssociationCindy Parico President2/7/2023**Support** | Local Board Approval Date: 2/9/2023Public Hearing Date: 2/9/2023Public Hearing Advertised: Public hearing notice posted on district websiteBond Oversight Committee 1/19/2023**No Objections** |
| 12-2-2023 | Muroc Joint Unified School District | **Requested:**June 1, 2023 to August 1, 2039**Recommended:** June 1, 2023 to August 1, 2039 | **Requested:**Debt Limit: 4.16%**Recommended:**Debt Limit: 4.16% | Debt Limit: 4.16%Limited to sale of bonds applicable to Measure B approved by voters in November 2023Tax Rate $60 per $100,000 (authorization approved under Proposition 39) | CSEA Chapter 340Ana Montanez-RogersPresident2/16/2023**Neutral**Muroc Education AssociationDebra DonelsonPresident2/16/2023**Neutral** | Local Board Approval Date: 2/20/2023Public Hearing Date: 2/20/2023Public Hearing Advertised: posting at school sites, district websiteBond oversight committee2/20/2023**No Objections** |
| 9-12-2022 | Oxnard School District | **Requested:**March 9, 2023 to June 30, 2033**Recommended:** March 9, 2023 to June 30, 2033 | **Requested:**Debt Limit: 2.14%**Recommended:**Debt Limit: 2.14% | Debt Limit 2.14%Limited to sale of bonds applicable to Measure I, approved by voters in the November 2022 electionTax Rate $30 per $100,000 (authorization approved under Proposition 39) | Oxnard Educator's AssociationStacie Thurman President11/29/2022**Neutral**CSEA Ilene Poland President12/6/2022**Neutral**Oxnard Support Services AssociationShiri HermeshPresident12/6/2022**Neutral** | Local Board Approval Date: 12/21/2022Public Hearing Date: 12/21/2022Public Hearing Advertised: District website, Ventura County StarCitizens’ Bond Oversight Committee12/1/2022**No Objections** |
| 10-2-2023 | Pittsburg Unified School District | **Requested:**May 19, 2023 to May 19, 2033**Recommended:** May 19, 2023 to May 19, 2033 | **Requested:**Debt Limit: 5.15%**Recommended:**Debt Limit: 5.15% | Debt Limit: 5.15%Limited to sale of bonds applicable to Measure P approved by voters in November 2018Tax Rate $60 per $100,000 (authorization approved under Proposition 39) | CSEA Sean SturgisPresident2/16/2023**Support**Pittsburg Education AssociationChris Coan,President2/16/2023**Support** | Local Board Approval Date: 2/8/2023Public Hearing Date: 2/8/2023Public Hearing Advertised: East County Times, district websiteFacilities subcommittee1/31/2023**No Objections** |
| 7-12-2022 | Planada Elementary School District | **Requested:**March 9, 2023 to June 30, 2027**Recommended:** March 9, 2023 to June 30, 2027 | **Requested:**Debt Limit: 1.79%**Recommended:**Debt Limit: 1.79% | Debt Limit 1.79%Limited to sale of bonds applicable to Measure A, approved by voters in the November 2022 electionTax Rate $30 per $100,000 (authorization approved under Proposition 39) | Planada Teachers AssociationMichelle Esquivel President12/12/2022**Neutral**CSEA Chapter 83 Maria Nava, President12/12/2022**Neutral** | Local Board Approval Date: 12/15/2022Public Hearing Date: 12/15/2022Public Hearing Advertised: District website, Merced SunCitizens’ Bond Oversight Committee12/1/2022**No Objections** |
| 6-12-2022 | Rio Elementary School District | **Requested:**March 1, 2023 to August 1, 2037**Recommended:** March 1, 2023 to August 1, 2037 | **Requested:**Debt Limit: 2.31%**Recommended:**Debt Limit: 2.31% | Debt Limit 2.31%Limited to sale of bonds applicable to Measure L and Measure H, approved by voters in November 2018 and November 2022 respectivelyTax Rate $30 per $100,000 (authorization approved under Proposition 39) | Rio Teachers AssociationMarisela Valdez President12/7/2022**Neutral**CSEA Elena Ramirez, President12/7/2022**Neutral** | Local Board Approval Date: 11/16/2022Public Hearing Date: 11/16/2022Public Hearing Advertised: District website, emailCitizens’ Bond Oversight Committee11/29/2022**No Objections** |
| 14-2-2023 | Selma Unified School District | **Requested:**May 18, 2023 to August 1, 2041**Recommended:** May 18, 2023 to August 1, 2041 | **Requested:**Debt Limit: 3.69%**Recommended:**Debt Limit: 3.69% | Debt Limit: 3.69%Limited to sale of bonds applicable to Measure L approved by voters in November 2022Tax Rate $60 per $100,000 (authorization approved under Proposition 39) | CSEAChapter 231Sarah BonillaPresident2/21/2023**Neutral**Selma Unified Teachers AssociationRoxanne Garrigus-CasePresident2/16/2023**Support** | Local Board Approval Date: 2/21/2023Public Hearing Date: 2/21/2023Public Hearing Advertised: notices at local post office, all school sites, public library, and district websiteCitizens bond oversight committee2/17/2023**No Objections** |
| 15-2-2023 | Stockton Unified School District | **Requested:**October 1, 2019 to August 1, 2038**Recommended:** January 1, 2023 to August 1, 2038 | **Requested:**Debt Limit: 4.81%**Recommended:**Debt Limit: 4.81% | Debt Limit: 4.81%Limited to sale of bonds applicable to Measure E, Measure C, and Measure C approved by voters in November 2014, 2018, and 2022 respectivelyTax Rate $60 per $100,000 (authorization approved under Proposition 39) | CSEA Rosemarie Lopes-HornAdministrator2/21/2023**Neutral**Stockton Teachers AssociationFelice Bryson-Perez,President2/21/2023**Neutral** | Local Board Approval Date: 1/24/2023Public Hearing Date: 1/24/2023Public Hearing Advertised: notices posted at district office, district website, and Facebook pageResources and infrastructure committee2/21/2023**No Objections** |

Created by the California Department of Education

May 2023

# Attachment 2: **Alum Rock Elementary School District General** **Waiver Request 11-2-2023**

**California Department of Education**

**WAIVER SUBMISSION - General**

CD Code: 4369369

Waiver Number: 11-2-2023

Active Year: 2023

Date In: 2/21/2023 9:47:08 PM

Local Education Agency: Alum Rock Union Elementary

Address: 2930 Gay Ave.

San Jose, CA 95127

Start: 5/19/2023

End: 8/1/2031

Waiver Renewal: No

Waiver Topic: School Construction Bonds

Ed Code Title: Bond Indebtedness Limit - Non-Unified after 2000

Ed Code Section: 15268

Ed Code Authority: 33050

*Education Code* or *CCR* to Waive: The total amount of bonds issued, including bonds issued pursuant to Chapter 1 (commencing with Section 15100), shall not exceed [1.25 percent] of the taxable property of the district as shown by the last equalized assessment of the county or counties in which the district is located.

Outcome Rationale: Registered voters in the district passed general obligation bond measures in 2016 and 2022 to fund capital improvements. Measure I of 2016 authorized $140,000,000 in bonds, and Measure S of 2022 authorized $71,500,000 in bonds.

In January 2017, the California State Board of Education approved a waiver increasing the district’s debt limit to 2.50%. However, this waiver does not apply to bonds approved under Measure S. Under the 1.25% debt limit, only about $19 million of Measure S bonds can currently be accessed.

In order to continue funding district projects authorized under Measure I and Measure S, the district wishes to request a new debt limit applicable to Measure S.

Student Population: 10744

City Type: Urban

Public Hearing Date: 2/9/2023

Public Hearing Advertised: The notice of public hearing was posted on bulletin boards at the District Office and also agendized on the board meeting agenda, which was emailed to the public and posted to the district website.

Local Board Approval Date: 2/9/2023

Community Council Reviewed By: Citizens' Bond Oversight Committee

Community Council Reviewed Date: 2/17/2023

Community Council Objection: No

Community Council Objection Explanation:

Audit Penalty Yes or No: No

Categorical Program Monitoring: No

Submitted by: Mr. Joseph Crump

Position: Analyst

E-mail: jcrump@dalescott.com

Telephone: 415-956-1030

Bargaining Unit Date: 02/17/2023
Name: Alum Rock Educator's Association
Representative: Jocelyn Merz
Title: President
Phone: 408-209-6181
Position: Support

Bargaining Unit Date: 02/16/2023
Name: CSEA Alum Rock Chapter 305
Representative: Sharon Fontaine
Title: President
Phone: 408-439-0588
Position: Support

Bargaining Unit Date: 02/17/2023
Name: Teamsters Local 150
Representative: Thanh Phu
Title: Shop Steward (Teamsters does not have a president)
Phone: 408-928-6868
Position: Support

# Attachment 3: **Compton Unified School District General Waiver Request 9-2-2023**

**California Department of Education**

**WAIVER SUBMISSION - General**

CD Code: 1973437

Waiver Number: 9-2-2023

Active Year: 2023

Date In: 2/17/2023 4:16:18 PM

Local Education Agency: Compton Unified

Address: 501 South Santa Fe Ave.

Compton, CA 90221

Start: 5/19/2023

End: 5/19/2029

Waiver Renewal: No

Waiver Topic: School Construction Bonds

Ed Code Title: Bond Indebtedness Limit - Unified S.D.

Ed Code Section: [15270], [15106]

Ed Code Authority: 33050

*Education Code* or *CCR* to Waive: see attachment

Outcome Rationale: see attachment

Student Population: 19000City Type: Urban

Public Hearing Date: 2/14/2023

Public Hearing Advertised: Local newspaper (Long Beach Press Telegram)

Local Board Approval Date: 2/14/2023

Community Council Reviewed By: Facilities Committee

Community Council Reviewed Date: 1/23/2023

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty Yes or No: No

Categorical Program Monitoring: No

Submitted by: Dr. Shannon Soto

Position: Chief Administrative Officer

E-mail: ssoto@compton.k12.ca.us

Telephone: 310-639-4321

Fax: 310-632-3014

Bargaining Unit Date: 01/16/2023
Name: Associated Federation of Teachers/Peace Officers
Representative: Ahrien Johnson
Title: President
Phone: ajohnson@cft.org
Position: Neutral
Comments:

Bargaining Unit Date: 01/16/2023
Name: California Educators Association
Representative: Kristen Luevanos
Title: President
Phone: kluevanos@compton.k12.ca.us
Position: Neutral
Comments:

Bargaining Unit Date: 01/16/2023
Name: California School Employees Association
Representative: April Vidrio
Title: President
Phone: avidrio@csea.com
Position: Neutral
Comments:

Bargaining Unit Date: 01/16/2023
Name: Service Employees International Union
Representative: Margaret Ortiz
Title: President
Phone: mortiz@seiu99.org
Position: Neutral
Comments:

Bargaining Unit Date: 01/16/2023
Name: Teamsters 911
Representative: Michael Leon
Title: President
Phone: mleon@teamsters911.com
Position: Support
Comments:

# Attachment 4: **Mount Pleasant Elementary School District General Waiver Request 4-2-2023**

**California Department of Education**

**WAIVER SUBMISSION - General**

CD Code: 4369617

Waiver Number: 4-2-2023

Active Year: 2023

Date In: 2/13/2023 7:10:49 PM

Local Education Agency: Mount Pleasant Elementary

Address: 3434 Marten Ave.

San Jose, CA 95148

Start: 5/19/2023

End: 8/1/2030

Waiver Renewal: No

Waiver Topic: School Construction Bonds

Ed Code Title: Bond Indebtedness Limit - Non-Unified after 2000

Ed Code Section: 15102 and 15268

Ed Code Authority: 33050

*Education Code* or *CCR* to Waive: The total amount of bonds issued, including bonds issued pursuant to Chapter 1 (commencing with Section 15100), shall not exceed [1.25 percent] of the taxable property of the district as shown by the last equalized assessment of the county or counties in which the district is located.

Outcome Rationale: Registered voters in the District passed general obligation bond measures in 1998, 2012, 2018 and 2020 to fund capital improvements. Measure I of 1998 authorized $12,000,000 in bonds, Measure L of 2012 authorized $25,000,000 in bonds, Measure JJ of 2018 authorized $27,500,000 in bonds, and Measure Q of 2020 authorized $12,000,000 in bonds.

Of these Measures, only Measure Q and Measure JJ have unissued bonds and room under the tax rate limit. Measure Q has $6.2 million in available bond authorization while Measure JJ has $17.5 million in available bond authorization. Meanwhile, under the 1.25% debt limit, only about $6 million of bonds can currently be accessed.

In order to continue funding district projects authorized under Measure Q and Measure JJ, the District wishes to issue the remaining bonds in a timely manner.

Student Population: 2229

City Type: Suburban

Public Hearing Date: 2/9/2022

Public Hearing Advertised: Posting on District Website

Local Board Approval Date: 2/9/2022

Community Council Reviewed By: Citizens' Bond Oversight Committee

Community Council Reviewed Date: 1/19/2023

Community Council Objection: No

Community Council Objection Explanation:

Audit Penalty Yes or No: No

Categorical Program Monitoring: No

Submitted by: Mr. Joseph Crump

Position: Analyst

E-mail: jcrump@dalescott.com

Telephone: 415-956-1030 x116

Fax:

Bargaining Unit Date: 01/19/2023
Name: CSEA Mt. Pleasant Chapter 463
Representative: Cheryl Garcia
Title: President
Phone: 408-258-7288
Position: Support
Comments:

Bargaining Unit Date: 02/07/2023
Name: Mt. Pleasant Education Association
Representative: Cindy Parico
Title: President
Phone: 408-223-3750
Position: Support
Comments:

# Attachment 5: **Muroc Joint Unified School District General Waiver Request 12-2-2023**

**California Department of Education**

**WAIVER SUBMISSION - General**

CD Code: 1563685

Waiver Number: 12-2-2023

Active Year: 2023

Date In: 2/22/2023 7:38:09 AM

Local Education Agency: Muroc Joint Unified

Address: 17100 Foothill Ave.

North Edwards, CA 94596

Start: 6/1/2023

End: 8/1/2039

Waiver Renewal: No

Previous Waiver Number:

Previous SBE Approval Date:

Waiver Topic: School Construction Bonds

Ed Code Title: Bond Indebtedness Limit - Unified S.D.

Ed Code Section: 15106

Ed Code Authority: 33050

*Education Code* or *CCR* to Waive: *EC* 15106: A unified school district or community college district may issue bonds that, in aggregation with bonds issued pursuant to Section 15270, [shall not exceed 2.5 percent of the taxable property of the school district] or community college district, or the school facilities improvement district, if applicable, as shown by the last equalized assessment of the county or counties in which the district is located.

Outcome Rationale: The District anticipates issuing $16.225 million of general obligation bonds over the next three to five years beginning in August 2023; the bonds will be issued pursuant to the District’s 2022 Election (Measure B) in which more than 55% of the District’s voters authorized the sale of not to exceed $21.0 million of GO Bonds. Measure B was authorized pursuant to Prop 39 and the expected maximum tax rate is $49.00 per $100,000 of assessed valuation, less than the allowable $60/$100k AV. Proceeds will be used to modernize classrooms, restrooms and facilities; repair/replace roofs, and repair and acquire classrooms and equipment. Current bonding capacity does not allow the District to issue the necessary $16.2 million in general obligation bonds to finance the much-needed projects. Further, increasing interest rates and construction costs make it beneficial to sell bonds now instead of waiting. This will complete the Measure B authorization.

Student Population: 1706

City Type: Rural

Public Hearing Date: 2/20/2023

Public Hearing Advertised: public notified through District website and posting at school sites

Local Board Approval Date: 2/20/2023

Community Council Reviewed By: School district board and bond oversight committee

Community Council Reviewed Date: 2/20/2023

Community Council Objection: No

Community Council Objection Explanation:

Audit Penalty Yes or No: No

Categorical Program Monitoring: No

Submitted by: Mr. jeff pickett

Position: Principal, Financial Advisor

E-mail: jeff@isomadvisors.com

Telephone: 925-478-7450

Fax:

Bargaining Unit Date: 02/16/2023
Name: CSEA Chapter 340
Representative: Ana Montanez-Rogers
Title: President
Phone: 760-762-5920
Position: Neutral
Comments:

Bargaining Unit Date: 02/16/2023
Name: Muroc Education Association
Representative: Debra Donelson
Title: President
Phone: 760-769-4821
Position: Neutral
Comments:

# Attachment 6: **Oxnard School District General Waiver Request 9-12-2022**

**California Department of Education**

**WAIVER SUBMISSION - General**

CD Code: 5672538

Waiver Number: 9-12-2022

Active Year: 2022

Date In: 12/13/2022 4:33:59 PM

Local Education Agency: Oxnard

Address: 1051 South A St.

Oxnard, CA 93030

Start: 3/9/2023

End: 6/30/2033

Waiver Renewal: No

Waiver Topic: School Construction Bonds

Ed Code Title: Bond Indebtedness Limit - Non-Unified

Ed Code Section: 15268

Ed Code Authority: 33050

*Education Code* or *CCR* to Waive: 15268. The total amount of bonds issued, including bonds issued pursuant to Chapter 1 (commencing with Section 15100), shall not exceed [1.25 percent] of the taxable property of the district as shown by the last equalized assessment of the county or counties in which the district is located.

Outcome Rationale: Background of 2022 Election:

On November 8, 2022, the voters approved Measure “I” (2022 Election), which allowed for a new $215 million General Obligation (GO) Bond authorization. This election was conducted under Proposition 39, requiring a 55% majority in order to pass. District voters approved Measure “I” with a 57.62% passage rate. The District intends to issue an amount not-to-exceed $78 million in 2023 from the Measure “I” authorization.

Current Need:

The District requests that its outstanding bonded indebtedness limit be increased to an amount not to exceed 2.14% through and until June 30, 2033. The District wishes to issue $78 million from the Measure “I” authorization in 2023 and an additional amount of approximately $63.5 million in 2027. The District’s current outstanding bonded indebtedness of approximately $263.7 million equates to 1.64% of the District’s total 2022-23 assessed valuation (AV). With the addition of the proposed $78 million, total indebtedness is projected at approximately $341.7 million and represent 2.14% of AV, which is above the state’s maximum allowed ratio of 1.25%.

Analysis:

Attached to this waiver request are the following:

1. Attachment A – Historical Assessed Valuations, Fiscal Years 2003-2023
2. Attachment B – Summary of General Obligation Bond Indebtedness versus Estimated Debt Limits
3. Attachment C – Tax Rate Analysis for the Proposed Bonds (Election of 2022)
4. Attachment D – Resolution Authorizing Request for Waiver
5. Attachment E – Notice of Public Hearing and Affidavit of Publication

Based on the Tax Rate Analysis figures, the District anticipates that the tax rate for Measure “I” (2022 Election) will not exceed the legal limit of $30.00 per year per $100,000 of taxable property should the California Department of Education grant this waiver request.

The District has $7.82 million in Certificates of Participation (COPs) outstanding. Final maturity on the COP is in FY2046.

In the event that the District elects to issue any Capital Appreciation Bonds (CABs), all CABs will be compliant with AB182.

Student Population: 14381

City Type: Urban

Public Hearing Date: 12/1/2022

Public Hearing Advertised: Posted Notice of Public Hearing in The Ventura County Star on November 24, 2022. The Ventura County Star is a daily newspaper published within Ventura County, California.

Local Board Approval Date: 12/1/2022

Community Council Reviewed By: Oxnard SD Bond Oversight Committee

Community Council Reviewed Date: 12/1/2022

Community Council Objection: No

Community Council Objection Explanation:

Audit Penalty Yes or No: No

Categorical Program Monitoring: No

Submitted by: Dr. Karling Aguilera-Fort

Position: Superintendent

E-mail: kaguilerafort@oxnardsd.org

Telephone: 805-385-1501 x2032

Fax:

Bargaining Unit Date: 12/06/2022
Name: California School Employees Association (CSEA)
Representative: Ilene Poland
Title: President
Phone: hugger50@aol.com
Position: Neutral
Comments:

Bargaining Unit Date: 11/29/2022
Name: Oxnard Educators Association (OEA)
Representative: Stacie Thurman
Title: President
Phone: sthurman@oxnardsd.org
Position: Neutral
Comments:

Bargaining Unit Date: 12/06/2022
Name: Oxnard Support Services Association (OSSA)
Representative: Shiri Hermesh
Title: President
Phone: shermesh@oxnardsd.org
Position: Neutral
Comments:

# Attachment 7: **Pittsburg Unified School District General Waiver Request 10-2-2023**

**California Department of Education**

**WAIVER SUBMISSION - General**

CD Code: 0761788

Waiver Number: 10-2-2023

Active Year: 2023

Date In: 2/21/2023 1:28:37 PM

Local Education Agency: Pittsburg Unified

Address: 2000 Railroad Ave.

Pittsburg, CA 94565

Start: 5/19/2023

End: 5/19/2033

Waiver Renewal: No

Waiver Topic: School Construction Bonds

Ed Code Title: Bond Indebtedness Limit - Unified after 2000

Ed Code Section: 15106 and 15270(a)

Ed Code Authority: 33050

*Education Code* or *CCR* to Waive: *EC* 15106: bonds issued pursuant to Section 15270, shall not exceed [2.5 percent] of the taxable property of the school district or community college district, or the school facilities improvement district, if applicable, as shown by the last equalized assessment of the county or counties in which the district is located.

Outcome Rationale: The District anticipates issuing $72.495 million of Measure P General Obligation Bonds in June 2023; the bonds will be issued pursuant to the District’s 2018 Election (Measure P) in which more than 55% of the District’s voters authorized the sale of GO Bonds.

Measure P was authorized pursuant to Prop 39 and the expected maximum tax rate is $55.25 per $100,000 of assessed valuation. Proceeds will be used to make student safety upgrades and improvements, install energy efficiency systems, improve and upgrade existing school sites, and new construction to reduce overcrowding in certain neighborhood schools.

Following the expiration of the District’s 5.00% waiver on 12/31/2022, the District is requesting a waiver of 5.15% to be able to issue its final remaining authorization of $72.495 million of bonds in 2023. Current bonding capacity does not allow the District to issue the necessary general obligation bonds to finance the much needed projects. In addition to keeping on schedule to complete promised projects, increasing interest rates and construction costs make it beneficial to sell bonds now instead of waiting. There will be no voter approved bonds authorized but unissued following this issuance.

Student Population: 11300

City Type: Small

Public Hearing Date: 2/8/2023

Public Hearing Advertised: Legal advertisement in East County Times on January 27, 2023, ten days ahead of the scheduled Public Hearing and school sites.

Local Board Approval Date: 2/8/2023

Community Council Reviewed By: Facilities Subcommittee

Community Council Reviewed Date: 1/31/2023

Community Council Objection: No

Community Council Objection Explanation:

Audit Penalty Yes or No: No

Categorical Program Monitoring: No

Submitted by: Mr. Randy rsmerritt

Position: Managing Director, Raymond James & Associates

E-mail: randy.merritt@raymondjames.com

Telephone: 949-485-5903

Fax:

Bargaining Unit Date: 02/16/2023
Name: CSEA
Representative: Sean Sturgis
Title: President
Phone: ssturgis@pittsburgusd.net
Position: Support
Comments:

Bargaining Unit Date: 02/16/2023
Name: Pittsburg Education Association
Representative: Chris Coan
Title: CSE President
Phone: (925) 432-0199
Position: Support
Comments:

# Attachment 8: **Planada Elementary School District General Waiver Request 7-12-2022**

CD Code: 2465821

Waiver Number: 7-12-2022

Active Year: 2022

Date In: 12/13/2022 2:30:36 PM

Local Education Agency: Planada Elementary

Address: 9722 East Haskell Ave.

Planada, CA 95365

Start: 3/9/2023

End: 6/30/2027

Waiver Renewal: No

Previous Waiver Number:

Previous SBE Approval Date: 1/6/2023

Waiver Topic: School Construction Bonds

Ed Code Title: Bond Indebtedness Limit - Non-Unified

Ed Code Section: 15268

Ed Code Authority: 33050

*Education Code* or *CCR* to Waive: 15268. The total amount of bonds issued, including bonds issued pursuant to Chapter 1 (commencing with Section 15100), shall not exceed [1.25 percent] of the taxable property of the district as shown by the last equalized assessment of the county or counties in which the district is located.

Outcome Rationale: Background of 2022 Election:

On November 8, 2022, the voters approved Measure “A” (2022 Election), which allowed for a new $3.1 million General Obligation (GO) Bond authorization. This election was conducted under Proposition 39, requiring a 55% majority in order to pass. District voters approved Measure “A” with a 67.28% passage rate. The District intends to issue the entire $3.1 million in one bond sale in 2023 from the Measure “A” authorization.

Current Need:

The District requests that its outstanding bonded indebtedness limit be increased to an amount not to exceed 1.79% through and until June 30, 2027. The District wishes to issue the entire $3.1 million from the Measure “A” authorization in 2023. The District’s current outstanding bonded indebtedness of approximately $3.5 million equates to 0.96% of the District’s total 2022-23 assessed valuation (AV). With the addition of the proposed $3.1 million, total indebtedness is projected at approximately $6.6 million and represent 1.79% of AV, which is above the state’s maximum allowed ratio of 1.25%.

Analysis:

Attached to this waiver request are the following:

1. Attachment A – Historical Assessed Valuations, Fiscal Years 2003-2023
2. Attachment B – Summary of General Obligation Bond Indebtedness versus Estimated Debt Limits
3. Attachment C – Tax Rate Analysis for the Proposed Bonds (Election of 2022)
4. Attachment D – Resolution Authorizing Request for Waiver
5. Attachment E – Notice of Public Hearing and Affidavit of Publication

Based on the Tax Rate Analysis figures, the District anticipates that the tax rate for Measure “A” (2022 Election) will not exceed the legal limit of $30.00 per year per $100,000 of taxable property should the California Department of Education grant this waiver request.

The District has no Certificates of Participation (COPs) outstanding.

In the event that the District elects to issue any Capital Appreciation Bonds (CABs), all CABs will be compliant with AB182.

Student Population: 842

City Type: Rural

Public Hearing Date: 12/15/2022

Public Hearing Advertised: Posted Notice of Public Hearing in the Merced Sun-

Local Board Approval Date: 12/15/2022

Community Council Reviewed By: Planada ESD Bond Oversight Committee (to be established)

Community Council Reviewed Date: 12/1/2022

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty Yes or No: No

Categorical Program Monitoring: No

Submitted by: Mr. José González

Position: Superintendent

E-mail: jgonzalez@planada.org

Telephone: 209-382-0756

Fax:

Bargaining Unit Date: 12/12/2022
Name: California School Employees Association Chapter 83
Representative: Maria Nava
Title: President
Phone: ma.nava@planada.org
Position: Neutral
Comments:

Bargaining Unit Date: 12/12/2022
Name: PTA (Planada Teachers Association)
Representative: Michelle Esquivel
Title: President
Phone: mesquivel@planada.org
Position: Neutral
Comment:

# Attachment 9: **Rio Elementary School District General Waiver Request 6-12-2022**

**California Department of Education**

**WAIVER SUBMISSION - General**

CD Code: 5672561

Waiver Number: 6-12-2022

Active Year: 2022

Date In: 12/13/2022 10:28:37 AM

Local Education Agency: Rio Elementary

Address: 1800 Solar Dr.

Oxnard, CA 94596

Start: 3/1/2023

End: 8/1/2037

Waiver Renewal: No

Waiver Topic: School Construction Bonds

Ed Code Title: Bond Indebtedness Limit - Non-Unified after 2000

Ed Code Section: 15102

Ed Code Authority: 33050

*Education Code* or *CCR* to Waive: *EC* 15102: The total amount of bonds issued pursuant to this Chapter and Chapter 1.5 (commencing with Section 15264) [shall not exceed 1.25 percent of the taxable property of the school district] or community college district, or the school facilities improvement district, if applicable, as shown by the last equalized assessment of the county of counties in which the district is located.

Outcome Rationale: The District anticipates issuing approximately $2.9 million of Measure L General Obligation Bonds in March 2023 and $72.0 million of Measure H General Obligation Bonds (potentially across multiple series); the bonds will be issued pursuant to the District’s 2018 Election (Measure L) in which more than 55% of the District’s voters authorized the sale of not to exceed $59.2 million of GO Bonds and pursuant to the District’s 2022 Election (Measure H) in which more than 55% of the District’s voters authorized the sale of not to exceed $72.0 million of GO Bonds.

Both, Measure L and Measure H were authorized pursuant to Prop 39 and the expected maximum tax rate is $30.00 per $100,000 of assessed valuation. Proceeds will be used to modernize classrooms, restrooms and facilities; make health, safety, and security improvements; provide HVAC; upgrade technology; and construct new classrooms and libraries.

Current bonding capacity does not allow the District to issue the necessary general obligation bonds to finance the much needed projects. Further, increasing interest rates and construction costs make it beneficial to sell bonds now instead of waiting. This will complete the Measure L authorization and will be the first issuance of the Measure H authorization.

Student Population: 5160

City Type: Urban

Public Hearing Date: 11/16/2022

Public Hearing Advertised: public notified through District website, emails, and other forms of communication

Local Board Approval Date: 11/16/2022

Community Council Reviewed By: District Board of Trustees, finance department, employee groups; Citizens’ Oversight Committee, pare

Community Council Reviewed Date: 11/29/2022

Community Council Objection: No

Community Council Objection Explanation:

Audit Penalty Yes or No: No

Categorical Program Monitoring: No

Submitted by: Mr. jeff pickett

Position: Principal, Financial Advisor

E-mail: jeff@isomadvisors.com

Telephone: 310-529-4987

Fax:

Bargaining Unit Date: 12/07/2022
Name: CSEA
Representative: Elena Ramirez
Title: President, CSEA Local Chapter
Phone: 805-485-3111
Position: Neutral
Comments:

Bargaining Unit Date: 12/07/2022
Name: Rio Teachers Association
Representative: Marisela Valdez
Title: President, RTA
Phone: 805-485-3111
Position: Neutral
Comments:

# Attachment 10: **Selma Unified School District General Waiver Request 14-2-2023**

**California Department of Education**

**WAIVER SUBMISSION - General**

CD Code: 1062430

Waiver Number: 14-2-2023

Active Year: 2023

Date In: 2/22/2023 1:04:58 PM

Local Education Agency: Selma Unified

Address: 3036 Thompson Ave.

Selma, CA 93662

Start: 5/18/2023

End: 8/1/2041

Waiver Renewal: No

Waiver Topic: School Construction Bonds

Ed Code Title: Bond Indebtedness Limit - Unified S.D.

Ed Code Section: 15106 and 15270

Ed Code Authority: 33050-33053

*Education Code* or *CCR* to Waive: *EC* 15106. A unified school district or community college district may issue bonds that, in aggregation with bonds issued pursuant to Section 15270, shall not exceed [2.5] percent of the taxable property of the school district or community college district, or the school facilities improvement district, if applicable, as shown by the last equalized assessment of the county or counties in which the district is located.

In computing the outstanding bonded indebtedness of a unified school district or community college district for all purposes of this section, any outstanding bonds shall be deemed to have been issued for elementary school purposes, high school purposes, and community college purposes, respectively, in the respective amounts that the proceeds of the sale of those outstanding bonds, excluding any premium and accrued interest received on that sale, were or have been allocated by the governing board of the unified school district or community college district to each of those purposes respectively.

*EC* 15270. (a) Notwithstanding Sections 15102 and 15268, any unified school district may issue bonds pursuant to this article that, in aggregation with bonds issued pursuant to Chapter 1 (commencing with Section 15100), may not exceed [2.5] percent of the taxable property of the district as shown by the last equalized assessment of the county or counties in which the district is located. The bonds may only be issued if the tax rate levied to meet the requirements of Section 18 of Article XVI of the California Constitution in the case of indebtedness incurred pursuant to this chapter at a single election, by a unified school district, would not exceed sixty dollars ($60) per year per one hundred thousand dollars ($100,000) of taxable property when assessed valuation is projected by the district to increase in accordance with Article XIII?A of the California Constitution.

Outcome Rationale: The District anticipates issuing approximately $36 million of general obligation bonds over the next three years beginning in June 2023; the bonds will be issued pursuant to the District’s 2022 Election (Measure L) in which more than 55% of the District’s voters authorized the sale of not to exceed $36.0 million of GO Bonds. Measure L was authorized pursuant to Prop 39 and the expected maximum tax rate is $60.00 per $100,000 of assessed valuation, equal to the allowable $60/$100k AV. Proceeds will be used to upgrade school safety, security, fire systems, science, engineering, math, vocational classrooms; provide safe drinking water, fix deteriorating gas lines, electrical, roofs, plumbing; remove asbestos/mold; acquire, construct, repair sites, facilities, equipment. Current bonding capacity does not allow the District to issue the necessary $36 million in general obligation bonds to finance the much-needed projects. Further, increasing interest rates and construction costs make it beneficial to sell bonds now instead of waiting.

Student Population: 5902

City Type: Rural

Public Hearing Date: 2/21/2023

Public Hearing Advertised: notice was posted at the district office, all school sites and the public library

Local Board Approval Date: 2/21/2023

Community Council Reviewed By: The citizen's oversight committee reviewed the waiver request. 4 of 7 emailed responses were receive

Community Council Reviewed Date: 2/17/2023

Community Council Objection: No

Community Council Objection Explanation:

Audit Penalty Yes or No: No

Categorical Program Monitoring: No

Submitted by: Ms. Jenny Bruner

Position: Vice President

E-mail: jenny.bruner@keygentcorp.com

Telephone: 425-785-3211

Fax:

Bargaining Unit Date: 02/21/2023
Name: CSEA Selma Chapter 231
Representative: Sara Bonilla
Title: Chapter President
Phone: 559-856-4337
Position: Neutral
Comments:

Bargaining Unit Date: 02/16/2023
Name: Selma Unified Teachers Association
Representative: Roxanne Garrigus-Case
Title: President
Phone: 559-287-0893
Position: Support
Comments:

# Attachment 11: **Stockton Unified School District General Waiver Request 15-2-2023**

**California Department of Education**

**WAIVER SUBMISSION - General**

CD Code: 3968676

Waiver Number: 15-2-2023

Active Year: 2023

Date In: 2/22/2023 4:29:04 PM

Local Education Agency: Stockton Unified

Address: 56 South Lincoln St.

Stockton, CA 95203

Start: 10/1/2019

End: 8/1/2038

Waiver Renewal: No

Waiver Topic: School Construction Bonds

Ed Code Title: Bond Indebtedness Limit - Unified after 2000

Ed Code Section: 15102 and 15268

Ed Code Authority: 33050

*Education Code* or *CCR* to Waive: (a) Notwithstanding Sections 15102 and 15268 , any unified school district may issue bonds pursuant to this article that, in aggregation with bonds issued pursuant to Chapter 1 (commencing with Section 15100 ), may not exceed [2.5 percent] of the taxable property of the district as shown by the last equalized assessment of the county or counties in which the district is located. The bonds may only be issued if the tax rate levied to meet the requirements of Section 18 of Article XVI of the California Constitution in the case of indebtedness incurred pursuant to this chapter at a single election, by a unified school district, would not exceed sixty dollars ($60) per year per one hundred thousand dollars ($100,000) of taxable property when assessed valuation is projected by the district to increase in accordance with Article XIII A of the California Constitution.

Outcome Rationale: On November 4, 2014, voters approved Measure E, a $114 million general obligation bond measure. Measure E was approved to allow the District to increase student access to computers and maintain and upgrade educational technology. It also allows the District to upgrade security systems, technology servers, routers, and storage area networks. The District has issued $18.36 million of Measure E Bonds and has $95.64 million remaining.

On June 5, 2018, voters approved Measure C, a $156.38 million general obligation bond measure. Measure C was approved to allow the District to repair and improve fire alarms and roofs and rehabilitate classrooms. The District has issued $128 million of Measure C Bonds, with $28.38 million remaining unissued.

On November 8, 2022, voters approved a $215 million general obligation bond measure. Measure C was approved to allow the District to expand career and technical education training facilities, including engineering, health care, and information technology. The measure also allows the District to repair roofs and plumbing and improve student safety and classroom security.

These bond authorizations were approved according to the legal provisions enacted in connection with Prop. 39 and received more than the required 55% affirmative votes. The California *Education Code* provides that general obligation bonds may only be issued if said issuance does not cause a school district to exceed the applicable bonding capacity limitation, which for unified school districts, including the District, is 2.50% of the taxable property of the school district.

As of January 2023, this constraint would not allow the District to issue any amount of bonds. The District requests a waiver of the statutes that impose the 2.50% limit on bonding capacity (Ed. C 15106 and 15270) to provide for an amended bonded indebtedness limit of 4.81% of taxable property such that the District can issue all of its voter-approved bonds from all three outstanding Measures for critical community-supported facilities and technology projects. Approval of this waiver would permit the District to continue its facilities improvement program without interruption and without interim financing.

Student Population: 39803

City Type: Suburban

Public Hearing Date: 1/24/2023

Public Hearing Advertised: The notice of public hearing was posted on bulletin boards at the District office and also agendized on board meeting agenda, which was posted on the districts website and facebook.

Local Board Approval Date: 1/24/2023

Community Council Reviewed By: Resource and Infrastructure Committee

Community Council Reviewed Date: 2/21/2023

Community Council Objection: No

Community Council Objection Explanation: Audit Penalty Yes or No: No

Categorical Program Monitoring: No

Submitted by: Ms. Nicole Roberts

Position: Analyst

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Fax:

Bargaining Unit Date: 02/21/2023
Name: CSEA
Representative: Rosemarie Lopes-Horn
Title: Administrator
Phone: 209-933-7484
Position: Neutral
Comments:

Bargaining Unit Date: 02/21/2023
Name: Stockton Teachers Association
Representative: Felice Bryson-Perez
Title: President
Phone: 209-478-5074
Position: Neutral
Comments: